

# **RESIDENT GRIEVANCE SYSTEM**

## **ANNUAL REPORT FISCAL YEAR 2008**

### **DEVELOPMENTAL DISABILITIES ADMINISTRATION FACILITIES**

**Carolyn Bell  
Director**

**Resident Grievance System  
Department of Health and Mental Hygiene  
201 West Preston Street, Room 546  
Baltimore, Maryland 21201  
1-800-747-7454**

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**RESIDENT GRIEVANCE SYSTEM  
FISCAL YEAR 2007  
ANNUAL REPORT**

**BACKGROUND AND STRUCTURE OF THE  
PATIENT RIGHTS PROGRAM FOR  
DEVELOPMENTAL DISABILITIES ADMINISTRATION  
STATE RESIDENTIAL CENTERS**

In 1985, the Department of Health and Mental Hygiene (DHMH) implemented the Resident Grievance system (RGS), the internal mechanism for advocating and ensuring the protection of rights of institutionalized persons, guaranteed by federal and state laws, that reside in the Mental Hygiene Administration's psychiatric facilities. The program is governed by the Code of Maryland Regulations (COMAR) 10.21.14 and is under the auspices of the Deputy Secretary for Public Health Services, Dr. Michelle Gourdine.

The RGS is a four stage administrative process that ensures that the rights of residents are protected through a fair, efficient, and complete mechanism for receiving, investigating, and resolving resident complaints in a timely manner. The RGS is responsible for providing legal representation for residents in specific areas, which is accomplished through state procurement contracts with independent legal providers, known as Legal Assistance Providers (LAP).

In July 1, 2000, the DHMH Secretary, Dr. Georges Benjamin, decreed that the Resident Grievance System be expanded to provide rights advocacy for residents of the four State Residential Centers, operated by the Developmental Disabilities Administration (DDA). The policy governing the operation of the RGS in DDA facilities was finalized and distributed to DDA facilities by the DDA Director, Diane K. Coughlin, on December 19, 2002. The policy provides the procedure governing the administrative process for receiving and investigating any reports of injuries, death, allegations of physical, sexual, or verbal abuse, and individual complaints, including rights issues, in a timely manner in accordance with Health General §7-1003 (g), Annotated Code of Maryland. A copy of the policy is available upon request from the office of the Director of the RGS.

The policy defines "Rights Issues" as any alleged violation of an individual's rights guaranteed by federal and state constitutions, statutes, regulations, common law, or policies of DHMH, DDA, and the facility, not covered by DDA's Policy on Reportable Incidents and Investigations.

A "Grievance" is defined as a written or oral statement initiated by the individual, an employee of the facility, a family member of the individual, or an interested party, which alleges that an individual's rights have been unfairly limited, violated, or are likely to be violated in the immediate future, or the facility has acted in an illegal or improper manner with respect to an individual or a group of individuals.

Effective October 1, 2008, the Rights Advisors who have primary responsibility for the four State Residential Centers are:

Brandenburg	Edward Zook	301-777-2263
Holly	Sharon Wert	410-778-6800
Potomac Center	Gregory Wyatt	1-240-313-3567
Rosewood	Gregory Wyatt	410-951-5169

Although, these are the Rights Advisors with primary responsibility, all of the Rights Advisors serve as back up, and in their absence, can provide service. A complete listing of the Resident Grievance System staff is included in this report.

Referrals to the Resident Grievance System made be made directly to the assigned Rights Advisor or the Central Office by using the toll free number, 1-800-747-7454. Rights Advisors carry pagers and can be quickly accessed by the Central office.



## **RESIDENT GRIEVANCE SYSTEM**

**Carolyn Bell**  
**Director**  
**410-767-6888**  
**800-747-7454**

**Jennie Bishop**  
**Clinical Review Panel Coordinator**  
410-970-7412  
Pager: 410-681-8305

**Patricia Dorsey**  
**Management Associate/**  
Database Program Mgr.  
410-767-1051

### **RIGHTS ADVISOR ASSIGNMENTS**

Harry Evans III	RICA-Baltimore	410-368-7957
	Rockville	301-251-6823
	Southern	301-372-1886
Edward Fowler	Database Program Mgr./ Back-up support for RA's & CRP's	410-209-6465
Anne Harrison	Spring Grove	410-402-7560
George Lyons	Springfield	410-970-7410
Susan Thomas	Clifton T. Perkins	410-724-3165
Charlotte Simmons	Spring Grove	410-402-7594
	Springfield	410-970-7411
Linda Simms	Walter P. Carter	410-209-6079
	Clifton T. Perkins	410-724-3000
		X 6165
Sharon Wert	Eastern & Upper Shore/ Holly	410-221-2345(E) 410-778-6800(U)
Gregory Wyatt	Rosewood/Potomac	410-951-5169 1-240-313-3567
Edward Zook	Thomas B. Finan Brandenburg	301-777-2263

## **RGS DATA COLLECTION AND CLASSIFICATION**

Resident Grievance System Regulations (RGS), COMAR 10.21.14, defines “Rights Issues” broadly: “an alleged violation of a resident’s rights guaranteed by federal and State constitutions, statutes, regulations, common law, or policies of the Department, Mental Hygiene Administration, and the facility”. When the RGS was created, the rationale for this broad definition was precisely because not all rights issues are stipulated in the law but this does not make them any less a rights issue. The RGS Director has the responsibility for developing the classification system and providing guidelines for its use.

The form, RGS-24 “Category of Rights Issues”, copy of which is attached, assigns all cases to one of 16 major categories.

The data in the Annual Report for Fiscal Year 2007 for Developmental Disabilities Administration facilities are reported in two major classifications: Information/Assistance and Grievances.

### **Information/Assistance**

Cases classified as Information/Assistance do not allege a rights violation but are contacts in which the individual is seeking information, clarification, or assistance with a concern. Typically, it involves a single meeting with the individual and generally, does not require extensive contact with others. These cases are closed at Stage 1 following the contact.

The second group of Information/Assistance cases are those in which the Rights Advisor receives notification from the facility regarding all incidents meeting the criteria of a “Serious Reportable Incident” (SRI). The RGS is provided with the Appendix 4 within 24 hours or the next working day. This is followed by receipt of the “Agency Investigative Report” (AIR) within 21 days. The Rights Advisor may, on their own, or at the request of the individual, staff, family member, or other interested parties, conduct their own investigation of the incident.

If the Rights Advisor concludes, following the investigation of a Serious Reportable Incident, that all of the necessary action has been taken by the facility and no further action is warranted, the case is closed at Stage 1 as Information/Assistance. However, if the Rights Advisor, resident, employee, family member, Legal Assistance Provider, or other interested parties have concerns regarding the action taken by the facility on Serious Reportable Incidents, the Rights Advisor opens the case as a grievance.

In fiscal year 2007, Rights Advisors processed 603 Information/Assistance cases.

### **Grievances**

Cases classified as Grievances are those issues that allege a violation of patients' rights and whose goal is to obtain a specific outcome. The Rights Advisors' role in a grievance is to be a neutral fact finder, conduct a thorough investigation, and render a decision based on the evidence.

Grievances are determined to be Valid, Invalid, or Inconclusive. When sufficient evidence does not exist to prove or disprove the allegation, the grievance is determined to be inconclusive. The Rights Advisors' role is to work toward the achievement of a mutually satisfactory resolution at the lowest possible stage.

Grievance investigation and resolution generally requires the Rights Advisor to have multiple contacts with the grievant and others, up to 65 working days, the total time permitted for resolution of the grievance by the RGS Regulations, COMAR 10.21.14.

Grievances consume the largest amount of Rights Advisors' time. The Rights Advisors' role is to be non-adversarial and to function as a mediator, facilitator or negotiator.

If unresolved at Stage 1, grievances proceed to Stage 2, which is the appropriate administrative director; Stage 3, the Chief Executive Officer, with an optional review by the Quality Assurance Standing Committee. Grievances unresolved at the conclusion of Stage 3 are reviewed at Stage 4 by the Central Review Committee, which is comprised of the DDA Director, the DDA Regional Director, and the RGS Director.

In fiscal year 2008, Rights Advisors processed a total of 19 grievances; outcome is detailed on the following pages.



## **GRIEVANCE OUTCOME FOR STAGES 1, 2, 3 AND REFERRALS TO THE CENTRAL REVIEW COMMITTEE AT STAGES 4 FOR FISCAL YEAR 2008**

- ◆ STAGE 1: 19 Grievances were handled by the Rights Advisors.  
15 (78.95%) were closed through resolution or withdrawal.
- ◆ STAGE 2: 4 (21.05%) Grievances were reviewed by the Unit Director.  
1 (25.00%) were closed through resolution or withdrawal.
- ◆ STAGE 3A: 3 (15.79%) Grievances were reviewed by the Resident Rights Committee.
- ◆ STAGE 3B: 3 (15.79%) Grievances were reviewed by the Superintendent/CEO  
3 (00.00%) were closed through resolution or withdrawal.
- ◆ STAGE 4: 0 ( 0.00%) Grievances were reviewed by the Central Review Committee which rendered the decisions shown below:

Grievances determined to be Valid	0
Grievances determined to be Inconclusive	0
Grievances determined to be Invalid	0

The data reflect that only 0 ( 0.00%) of the 19 grievances reached the 4th and final stage of the RGS. This figure supports that the RGS is achieving its mission of resolving grievances at the lowest possible level through mediation, negotiation and conciliation, and that the internal rights protection system is a fair, efficient, and complete remedy for the resolution of patient complaints.



No Stage 4's received or reviewed.

**TOTAL NUMBER AND PERCENTAGE OF GRIEVANCES FOR ALL  
FACILITIES BY RIGHTS CLASSIFICATION  
FISCAL YEAR 2008**

<b><u>Rights Classification</u></b>	<b><u>Number</u></b>	<b><u>Percentage</u></b>
Abuse	09	48%
Treatment	05	26%
Admission/Discharge/Transfer	0	00%
Civil Rights	0	00%
Environmental	2	11%
Neglect	1	5%
Personal Property	0	0%
Other	0	0%
Communication and Visits	0	0%
Confidentiality	0	0%
Freedom of Movement	0	0%
Money	0	0%
Rights Protection System	0	0%
No Right Involved	1	5%
Resident-Resident Assault	1	5%
Deaths	<u>0</u>	0%
<b>Total Number of Grievances</b>	<b>19</b>	

**RESIDENT GRIEVANCE SYSTEM  
ACTIVITY PER FACILITY**

<b>FACILITY</b>	<b>Grievances</b>	<b>Information/ Assistance Requests</b>	<b>Total Cases</b>
BRANDENBURG CENTER	0	49	49
HOLLY CENTER	7	24	31
POTOMAC CENTER	1	152	153
ROSEWOOD CENTER	11	333	344
<b>Total</b>	<b>19</b>	<b>558</b>	<b>577</b>



# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2008**

**AGGREGATE DATA**

**Patricia Dorsey & Edward Fowler**  
**Database Program Managers**

# AGGREGATE FISCAL YEAR 2008

GRIEVANCES	19
INFORMATION/ASSISTANCE CASES	558
<b>TOTAL RIGHTS ADVISOR CONTACTS</b>	<b>577</b>

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RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	9	2
ADMISSION/DISCHARGE/TRANSFER	0	0
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	2	4
FREEDOM OF MOVEMENT	0	36
MONEY	0	0
NEGLECT	1	0
PERSONAL PROPERTY	0	10
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	5	449
OTHER	0	0
NO RIGHT INVOLVED	1	15
RESIDENT/RESIDENT ASSAULT	1	29
DEATH	0	13
<b>TOTAL</b>	<b>19</b>	<b>558</b>

# DECISION AND ACTION (GRIEVANCE CASES) - FY 2008

## AGGREGATE

### STAGE 1 - RIGHTS ADVISOR 19 GRIEVANCES

Decision at Stage 1			Action at Stage 1		
Valid	11	57.9 %	Resolved	15	78.9 %
Invalid	1	5.3 %	Withdrawn	0	0.0 %
Inconclusive	7	36.8 %	Outside Referral	0	0.0 %
Not Investigated	0	0.0 %			
Total Number of Cases Closed At Stage 1			15	78.9 %	
Total Number of Cases Referred To Stage 2			4	21.1 %	

### STAGE 2 - UNIT DIRECTOR 4 GRIEVANCES

Decision at Stage 2			Action at Stage 2		
Valid	0	0.0 %	Resolved	1	25.0 %
Invalid	3	75.0 %	Withdrawn	0	0.0 %
Inconclusive	1	25.0 %	Outside Referral	0	0.0 %
Total Number of Cases Closed At Stage 2			1	25.0 %	
Total Number of Cases Referred To Next Stage			3	75.0 %	

### STAGE 3A - RESIDENT RIGHTS COMMITTEE 3 GRIEVANCES

Decision at Stage 3A			Action at Stage 3A		
Valid	0	0.0 %	Resolved	0	0.0 %
Invalid	3	100.0 %	Withdrawn	0	0.0 %
Inconclusive	0	0.0 %	Outside Referral	0	0.0 %
Total Number of Cases Closed At Stage 3A			0	0.0 %	
Total Number of Cases Referred To Stage 3B			3	100.0 %	

### STAGE 3B - SUPERINTENDENT/CEO 3 GRIEVANCES

Decision at Stage 3B			Action at Stage 3B		
Valid	0	0.0 %	Resolved	3	100.0 %
Invalid	2	66.7 %	Withdrawn	0	0.0 %
Inconclusive	1	33.3 %	Outside Referral	0	0.0 %
Total Number of Cases Closed At Stage 3B			3	100.0 %	
Total Number of Cases Referred To Stage 4			0	0.0 %	

### STAGE 4 - Central Review Committee 0 GRIEVANCES

Decision at Stage 4			Action at Stage 4		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed at Stage 4			0	%	



# CATEGORIES OF RIGHTS ISSUES (GRIEVANCES)

## 1. ABUSE 9

- 6 A. Physical
- 1 B. Sexual
- 2 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 A. Admission
- 0 B. Hearing
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 2

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 1 D. Safety
- 0 E. Sanitary
- 1 F. Humane

## 7. FREEDOM OF MOVEMENT 0

- 0 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 0 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 1

## 10. PERSONAL PROPERTY 0

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 0 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 5

- 4 A. Individual Treatment Plan
- 0 B. Informed Consent
- 1 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 1

## 15. RESIDENT/RESIDENT ASSAULT 1

## 16. DEATH 0

TOTAL GRIEVANCE CASES 19

FISCAL YEAR 2008

AGGREGATE

# DEMOGRAPHIC INFORMATION (GRIEVANCE CASES)-FY2008

## AGGREGATE

GRIEVANCES 19

SEX	#	%
Female	3	15.8
Male	12	63.2
Class	4	21.1
Total	19	

AGE	#	%
<18	1	5.3
18-44	4	21.1
45-64	11	57.9
65+	1	5.3
Class	4	21.1
Total	19	

RACE	#	%
African American	5	26.3
Asian	0	0.0
Caucasian	10	52.6
Hispanic	0	0.0
Other	0	0.0
Class	4	21.1
Total	19	

# CATEGORIES OF RIGHTS ISSUES (GRIEVANCES)

## 1. ABUSE 9

- 6 A. Physical
- 1 B. Sexual
- 2 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 A. Admission
- 0 B. Hearing
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 2

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 1 D. Safety
- 0 E. Sanitary
- 1 F. Humane

## 7. FREEDOM OF MOVEMENT 0

- 0 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 0 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 1

## 10. PERSONAL PROPERTY 0

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 0 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 5

- 4 A. Individual Treatment Plan
- 0 B. Informed Consent
- 1 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 1

## 15. RESIDENT/RESIDENT ASSAULT 1

## 16. DEATH 0

TOTAL GRIEVANCE CASES 19

FISCAL YEAR 2008

AGGREGATE



# **DEMOGRAPHIC INFORMATION (INFORMATION CASES)-FY2007** **AGGREGATE**

INFORMATION/ASSISTANCE REQUESTS      558

<b>SEX</b>	<b>#</b>	<b>%</b>	<b>AGE</b>	<b>#</b>	<b>%</b>	<b>RACE</b>	<b>#</b>	<b>%</b>
Female	202	36.2	<18	0	0.0	African American	166	29.7
Male	356	63.8	18-44	193	34.6	Asian	1	0.2
Class	0	0.0	45-64	295	52.9	Caucasian	391	70.1
Total	558		65+	70	12.5	Hispanic	0	0.0
			Class	0	0.0	Other	0	0.0
			Total	558		Class	0	0.0
						Total	558	

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2008**

**BRANDENBURG CENTER**

**Edward Zook  
Rights Advisor**

**BRANDENBURG CENTER  
FISCAL YEAR 2008**

GRIEVANCES	0
INFORMATION/ASSISTANCE CASES	49
<b>TOTAL RIGHTS ADVISOR CONTACTS</b>	<b>49</b>

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RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	0	0
ADMISSION/DISCHARGE/TRANSFER	0	0
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	3
FREEDOM OF MOVEMENT	0	0
MONEY	0	0
NEGLECT	0	0
PERSONAL PROPERTY	0	0
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	0	43
OTHER	0	0
NO RIGHT INVOLVED	0	0
RESIDENT/RESIDENT ASSAULT	0	0
DEATH	0	3
<b>TOTAL</b>	<b>0</b>	<b>49</b>



# CATEGORIES OF RIGHTS ISSUES (INFORMATION/ASSISTANCE CASES)

## 1. ABUSE 0

- 0 A. Physical
- 0 B. Sexual
- 0 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 A. Admission
- 0 B. Hearing
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 3

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 3 D. Safety
- 0 E. Sanitary
- 0 F. Humane

## 7. FREEDOM OF MOVEMENT 0

- 0 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 0 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 0

## 10. PERSONAL PROPERTY 0

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 0 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 43

- 16 A. Individual Treatment Plan
- 0 B. Informed Consent
- 26 C. Medical Care
- 1 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 0

## 15. RESIDENT/RESIDENT ASSAULT 0

## 16. DEATH 3

TOTAL INFORMATION CASES 49

FISCAL YEAR 2008

BRANDENBURG CENTER

# DEMOGRAPHIC INFORMATION (INFORMATION CASES)-FY2008

## Brandenburg Center

INFORMATION/ASSISTANCE REQUESTS 49

SEX	#	%	AGE	#	%	RACE	#	%
Female	22	44.9	<18	0	0.0	African American	1	2.0
Male	27	55.1	18-44	8	16.3	Asian	0	0.0
Class	0	0.0	45-64	22	44.9	Caucasian	48	98.0
Total	49		65+	19	38.8	Hispanic	0	0.0
			Class	0	0.0	Other	0	0.0
			Total	49		Class	0	0.0
						Total	49	

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2008**

**HOLLY CENTER**

**Sharon Wert  
Rights Advisor**

# HOLLY CENTER FISCAL YEAR 2008

GRIEVANCES	7
INFORMATION/ASSISTANCE CASES	24
<b>TOTAL RIGHTS ADVISOR CONTACTS</b>	<b>31</b>

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<b>RIGHTS CATEGORY</b>	<b>GRIEVANCES</b>	<b>INFORMATION/ ASSISTANCE CASES</b>
ABUSE	4	0
ADMISSION/DISCHARGE/TRANSFER	0	0
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	2	0
FREEDOM OF MOVEMENT	0	12
MONEY	0	0
NEGLECT	0	0
PERSONAL PROPERTY	0	0
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	0	8
OTHER	0	0
NO RIGHT INVOLVED	0	0
RESIDENT/RESIDENT ASSAULT	1	2
DEATH	0	2
<b>TOTAL</b>	<b>7</b>	<b>24</b>



# DECISION AND ACTION (GRIEVANCE CASES) - FY 2008

## Holly Center

### STAGE 1 - RIGHTS ADVISOR

7 GRIEVANCES

#### Decision at Stage 1

Valid	5	71.4 %
Invalid	1	14.3 %
Inconclusive	1	14.3 %
Not Investigated	0	0.0 %

#### Action at Stage 1

Resolved	4	57.1 %
Withdrawn	0	0.0 %
Outside Referral	0	0.0 %

Total Number of Cases Closed At Stage 1 4 57.1 %

Total Number of Cases Referred To Stage 2-3 3 42.9 %

### STAGE 2 - UNIT DIRECTOR

3 GRIEVANCES

#### Decision at Stage 2

Valid	0	0.0 %
Invalid	2	66.7 %
Inconclusive	1	33.3 %

#### Action at Stage 2

Resolved	0	0.0 %
Withdrawn	0	0.0 %
Outside Referral	0	0.0 %

Total Number of Cases Closed At Stage 2 0 0.0 %

Total Number of Cases Referred To Next Stage 3 100.0 %

### STAGE 3A - RESIDENT RIGHTS COMMITTEE

3 GRIEVANCES

#### Decision at Stage 3A

Valid	0	0.0 %
Invalid	3	100.0 %
Inconclusive	0	0.0 %

#### Action at Stage 3A

Resolved	0	0.0 %
Withdrawn	0	0.0 %
Outside Referral	0	0.0 %

Total Number of Cases Closed At Stage 3A 0 0.0 %

Total Number of Cases Referred To Stage 3B 3 100.0 %

### STAGE 3B - SUPERINTENDENT/CEO

3 GRIEVANCES

#### Decision at Stage 3B

Valid	0	0.0 %
Invalid	2	66.7 %
Inconclusive	1	33.3 %

#### Action at Stage 3B

Resolved	3	100.0 %
Withdrawn	0	0.0 %
Outside Referral	0	0.0 %

Total Number of Cases Closed At Stage 3B 3 100.0 %

Total Number of Cases Referred To Stage 4 0 0.0 %

### STAGE 4 - CENTRAL REVIEW COMMITTEE

0 GRIEVANCES

#### Decision at Stage 4

Valid	0	%
Invalid	0	%
Inconclusive	0	%

#### Action at Stage 4

Resolved	0	%
Withdrawn	0	%
Outside Referral	0	%

Total Number of Cases Closed At Stage 4 0 %

# CATEGORIES OF RIGHTS ISSUES (GRIEVANCES)

## 1. ABUSE 4

- 4 A. Physical
- 0 B. Sexual
- 0 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 B. Hearing
- 0 A. Admission
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 2

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 1 D. Safety
- 0 E. Sanitary
- 1 F. Humane

## 7. FREEDOM OF MOVEMENT 0

- 0 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 0 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 0

## 10. PERSONAL PROPERTY 0

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 0 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 0

- 0 A. Individual Treatment Plan
- 0 B. Informed Consent
- 0 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 0

## 15. RESIDENT/RESIDENT ASSAULT 1

## 16. DEATH 0

TOTAL GRIEVANCE CASES 7

FISCAL YEAR 2008

Holly Center

# DEMOGRAPHIC INFORMATION (GRIEVANCE CASES)-FY 20 08

## Holly Center

GRIEVANCES 7

SEX	#	%
Female	2	28.6
Male	3	42.9
Class	2	28.6
Total	7	

AGE	#	%
<18	1	14.3
18-44	0	0.0
45-64	4	57.1
65+	0	0.0
Class	2	28.6
Total	7	

RACE	#	%
African American	2	28.6
Asian	0	0.0
Caucasian	3	42.9
Hispanic	0	0.0
Other	0	0.0
Class	2	28.6
Total	7	



# CATEGORIES OF RIGHTS ISSUES (INFORMATION/ASSISTANCE CASES)

## 1. ABUSE 0

- 0 A. Physical
- 0 B. Sexual
- 0 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 A. Admission
- 0 B. Hearing
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 0

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 0 D. Safety
- 0 E. Sanitary
- 0 F. Humane

## 7. FREEDOM OF MOVEMENT 12

- 1 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 11 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 0

## 10. PERSONAL PROPERTY 0

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 0 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 8

- 0 A. Individual Treatment Plan
- 0 B. Informed Consent
- 8 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 0

## 15. RESIDENT/RESIDENT ASSAULT 2

## 16. DEATH 2

TOTAL INFORMATION CASES 24

FISCAL YEAR 2008

HOLLY CENTER



# DEMOGRAPHIC INFORMATION (INFORMATION CASES)-FY2008

## Holly Center

INFORMATION/ASSISTANCE REQUESTS

24

SEX	#	%	AGE	#	%	RACE	#	%
Female	6	25.0	<18	0	0.0	African American	8	33.3
Male	18	75.0	18-44	14	58.3	Asian	0	0.0
Class	0	0.0	45-64	9	37.5	Caucasian	16	66.7
Total	24		65+	1	4.2	Hispanic	0	0.0
			Class	0	0.0	Other	0	0.0
			Total	24		Class	0	0.0
						Total	24	

# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2008**

**POTOMAC CENTER**

**Edward Zook  
Rights Advisor**

# POTOMAC CENTER FISCAL YEAR 2008

GRIEVANCES	1
INFORMATION/ASSISTANCE CASES	152
<b>TOTAL RIGHTS ADVISOR CONTACTS</b>	<b>153</b>

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RIGHTS CATEGORY	GRIEVANCES	INFORMATION/ ASSISTANCE CASES
ABUSE	1	0
ADMISSION/DISCHARGE/TRANSFER	0	0
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	1
FREEDOM OF MOVEMENT	0	13
MONEY	0	0
NEGLECT	0	0
PERSONAL PROPERTY	0	2
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	0	112
OTHER	0	0
NO RIGHT INVOLVED	0	9
RESIDENT/RESIDENT ASSAULT	0	13
DEATH	0	2
<b>TOTAL</b>	<b>1</b>	<b>152</b>

# DECISION AND ACTION (GRIEVANCE CASES) - FY 2008

## Potomac Center

### STAGE 1 - RIGHTS ADVISOR

1 GRIEVANCES

Decision at Stage 1			Action at Stage 1		
Valid	1	100.0 %	Resolved	1	100.0 %
Invalid	0	0.0 %	Withdrawn	0	0.0 %
Inconclusive	0	0.0 %	Outside Referral	0	0.0 %
Not Investigated	0	0.0 %			
Total Number of Cases Closed At Stage 1			1	100.0 %	
Total Number of Cases Referred To Stage 2-3			0	0.0 %	

### STAGE 2 - UNIT DIRECTOR

0 GRIEVANCES

Decision at Stage 2			Action at Stage 2		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed At Stage 2			0	%	
Total Number of Cases Referred To Next Stage			0	%	

### STAGE 3A - RESIDENT RIGHTS COMMITTEE

0 GRIEVANCES

Decision at Stage 3A			Action at Stage 3A		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed At Stage 3A			0	%	
Total Number of Cases Referred To Stage 3B			0	%	

### STAGE 3B - SUPERINTENDENT/CEO

0 GRIEVANCES

Decision at Stage 3B			Action at Stage 3B		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed At Stage 3B			0	%	
Total Number of Cases Referred To Stage 4			0	%	

### STAGE 4 - CENTRAL REVIEW COMMITTEE

0 GRIEVANCES

Decision at Stage 4			Action at Stage 4		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed At Stage 4			0	%	



# CATEGORIES OF RIGHTS ISSUES (GRIEVANCES)

## 1. ABUSE 1

- 0 A. Physical
- 1 B. Sexual
- 0 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 B. Hearing
- 0 A. Admission
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 0

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 0 D. Safety
- 0 E. Sanitary
- 0 F. Humane

## 7. FREEDOM OF MOVEMENT 0

- 0 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 0 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 0

## 10. PERSONAL PROPERTY 0

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 0 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 0

- 0 A. Individual Treatment Plan
- 0 B. Informed Consent
- 0 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 0

## 15. RESIDENT/RESIDENT ASSAULT 0

## 16. DEATH 0

TOTAL GRIEVANCE CASES 1

FISCAL YEAR 2008

Potomac Center

# DEMOGRAPHIC INFORMATION (GRIEVANCE CASES)-FY 20 08

## Potomac Center

GRIEVANCES 1

SEX	#	%
Female	0	0.0
Male	1	100.0
Class	0	0.0
Total	1	

AGE	#	%
<18	0	0.0
18-44	1	100.0
45-64	0	0.0
65+	0	0.0
Class	0	0.0
Total	1	

RACE	#	%
African American	1	100.0
Asian	0	0.0
Caucasian	0	0.0
Hispanic	0	0.0
Other	0	0.0
Class	0	0.0
Total	1	

# CATEGORIES OF RIGHTS ISSUES (INFORMATION/ASSISTANCE CASES)

## 1. ABUSE 0

- 0 A. Physical
- 0 B. Sexual
- 0 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 A. Admission
- 0 B. Hearing
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 1

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 1 D. Safety
- 0 E. Sanitary
- 0 F. Humane

## 7. FREEDOM OF MOVEMENT 13

- 1 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 12 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 0

## 10. PERSONAL PROPERTY 2

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 2 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 112

- 92 A. Individual Treatment Plan
- 0 B. Informed Consent
- 20 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 9

## 15. RESIDENT/RESIDENT ASSAULT 13

## 16. DEATH 2

TOTAL INFORMATION CASES 152

FISCAL YEAR 2008

POTOMAC CENTER

# DEMOGRAPHIC INFORMATION (INFORMATION CASES)-FY2008

## Potomac Center

INFORMATION/ASSISTANCE REQUESTS 152

SEX	#	%	AGE	#	%	RACE	#	%
Female	70	46.1	<18	0	0	African American	47	30.9
Male	82	53.9	18-44	82	54	Asian	0	0.0
Class	0	0.0	45-64	54	35.5	Caucasian	105	69.1
Total	152		65+	16	10.5	Hispanic	0	0.0
			Class	0	0.0	Other	0	0.0
			Total	152		Class	0	0.0
						Total	152	



# **RESIDENT GRIEVANCE SYSTEM**

**FISCAL YEAR 2008**

**ROSEWOOD CENTER**

**Gregory Wyatt  
Rights Advisor**

# ROSEWOOD CENTER FISCAL YEAR 2008

GRIEVANCES	11
INFORMATION/ASSISTANCE CASES	332
<b>TOTAL RIGHTS ADVISOR CONTACTS</b>	<b>343</b>

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<b>RIGHTS CATEGORY</b>	<b>GRIEVANCES</b>	<b>INFORMATION/ ASSISTANCE CASES</b>
ABUSE	4	2
ADMISSION/DISCHARGE/TRANSFER	0	0
CIVIL RIGHTS	0	0
COMMUNICATIONS/VISITS	0	0
CONFIDENTIALITY	0	0
ENVIRONMENTAL	0	0
FREEDOM OF MOVEMENT	0	11
MONEY	0	0
NEGLECT	1	0
PERSONAL PROPERTY	0	8
RIGHTS PROTECTION SYSTEM (RGS)	0	0
TREATMENT RIGHTS	5	285
OTHER	0	0
NO RIGHT INVOLVED	1	6
RESIDENT/RESIDENT ASSAULT	0	14
DEATH	0	6
<b>TOTAL</b>	<b>11</b>	<b>332</b>

# DECISION AND ACTION (GRIEVANCE CASES) - FY 2008

## Rosewood Center

### STAGE 1 - RIGHTS ADVISOR 11 GRIEVANCES

Decision at Stage 1			Action at Stage 1		
Valid	5	45.5 %	Resolved	11	100.0 %
Invalid	0	0.0 %	Withdrawn	0	0.0 %
Inconclusive	6	54.5 %	Outside Referral	0	0.0 %
Not Investigated	0	0.0 %			
Total Number of Cases Closed At Stage 1			11	100.0 %	
Total Number of Cases Referred To Stage 2-3			0	0.0 %	

### STAGE 2 - UNIT DIRECTOR 1 GRIEVANCES

Decision at Stage 2			Action at Stage 2		
Valid	0	0.0 %	Resolved	1	100.0 %
Invalid	1	100.0 %	Withdrawn	0	0.0 %
Inconclusive	0	0.0 %	Outside Referral	0	0.0 %
Total Number of Cases Closed At Stage 2			1	100.0 %	
Total Number of Cases Referred To Next Stage			0	0.0 %	

### STAGE 3A - RESIDENT RIGHTS COMMITTEE 0 GRIEVANCES

Decision at Stage 3A			Action at Stage 3A		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed At Stage 3A			0	%	
Total Number of Cases Referred To Stage 3B			0	%	

### STAGE 3B - SUPERINTENDENT/CEO 0 GRIEVANCES

Decision at Stage 3B			Action at Stage 3B		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed At Stage 3B			0	%	
Total Number of Cases Referred To Stage 4			0	%	

### STAGE 4 - CENTRAL REVIEW COMMITTEE 0 GRIEVANCES

Decision at Stage 4			Action at Stage 4		
Valid	0	%	Resolved	0	%
Invalid	0	%	Withdrawn	0	%
Inconclusive	0	%	Outside Referral	0	%
Total Number of Cases Closed At Stage 4			0	%	

# CATEGORIES OF RIGHTS ISSUES (GRIEVANCES)

## 1. ABUSE 4

- 2 A. Physical
- 0 B. Sexual
- 2 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 B. Hearing
- 0 A. Admission
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 0

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 0 D. Safety
- 0 E. Sanitary
- 0 F. Humane

## 7. FREEDOM OF MOVEMENT 0

- 0 A. Building and Grounds
- 0 B. General Restrictions
- 0 C. Least Restrictive Alternative
- 0 D. Leave of Absence
- 0 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 1

## 10. PERSONAL PROPERTY 0

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 0 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 5

- 4 A. Individual Treatment Plan
- 0 B. Informed Consent
- 1 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 0 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 1

## 15. RESIDENT/RESIDENT ASSAULT 0

## 16. DEATH 0

TOTAL GRIEVANCE CASES 11

FISCAL YEAR 2008

Rosewood Center



# DEMOGRAPHIC INFORMATION (GRIEVANCE CASES)-FY 20 08

## Rosewood Center

GRIEVANCES 11

SEX	#	%
Female	1	9.1
Male	8	72.7
Class	2	18.2
Total	11	

AGE	#	%
<18	0	0.0
18-44	3	27.3
45-64	5	45.5
65+	1	9.1
Class	2	18.2
Total	11	

RACE	#	%
African American	2	18.2
Asian	0	0.0
Caucasian	7	63.6
Hispanic	0	0.0
Other	0	0.0
Class	2	18.2
Total	11	

# CATEGORIES OF RIGHTS ISSUES (INFORMATION/ASSISTANCE CASES)

## 1. ABUSE 2

- 2 A. Physical
- 0 B. Sexual
- 0 C. Mental

## 2. ADMISSION/DISCHARGE/TRANSFER 0

- 0 A. Admission
- 0 B. Hearing
- 0 C. Transfer
- 0 D. Discharge
- 0 E. Respite Care

## 3. CIVIL RIGHTS 0

- 0 A. Abortion
- 0 B. Verbal Abuse
- 0 C. Barrier Free Design
- 0 D. Business and Personal
- 0 E. Competency
- 0 F. Dignity
- 0 G. Discrimination
- 0 H. Education
- 0 I. Labor and Compensation
- 0 J. Marriage and Divorce
- 0 K. Media
- 0 L. Personal Search
- 0 M. Privacy
- 0 N. Religion
- 0 O. Sexuality
- 0 P. Harassment
- 0 Q. Voting
- 0 R. Immigration

## 4. COMMUNICATION and VISITS 0

- 0 A. Attorney/Legal Matters
- 0 B. Clergy
- 0 C. Visitors
- 0 D. Stationery and Postage
- 0 E. Telephone
- 0 F. Mail
- 0 G. Interpreter Service

## 5. CONFIDENTIALITY and DISCLOSURE 0

- 0 A. Records
- 0 B. Privileged Communications
- 0 C. Photocopying
- 0 D. Photographing

## 6. ENVIRONMENTAL 0

- 0 A. Clothing
- 0 B. Diet
- 0 C. Personal Hygiene
- 0 D. Safety
- 0 E. Sanitary
- 0 F. Humane

## 7. FREEDOM OF MOVEMENT 11

- 0 A. Building and Grounds
- 0 B. General Restrictions
- 1 C. Least Restrictive Alternative
- 1 D. Leave of Absence
- 9 E. Restraint
- 0 F. Seclusion
- 0 G. Quiet Room

## 8. MONEY 0

- 0 A. Dissipation of Assets
- 0 B. Easy Access
- 0 C. Facility Account
- 0 D. Limitation
- 0 E. Safekeeping
- 0 F. Use of Funds
- 0 G. Exploitation
- 0 H. Entitlements/Benefits

## 9. NEGLECT 0

## 10. PERSONAL PROPERTY 8

- 0 A. Exclusion
- 0 B. Limitations
- 0 C. Protection
- 0 D. Purchase or Receive
- 0 E. Receipt
- 0 F. Storage
- 8 G. Theft/Loss/Destruction

## 11. RIGHTS PROTECTION 0

- 0 A. Complaint Forms
- 0 B. Explanation of Rights
- 0 C. Notification of Rights
- 0 D. Rights Advisor
- 0 E. Timely Impartial Investigation
- 0 F. Complaint Procedure
- 0 G. Retaliation
- 0 H. Legal Case Review

## 12. TREATMENT RIGHTS 286

- 165 A. Individual Treatment Plan
- 78 B. Informed Consent
- 42 C. Medical Care
- 0 D. Medication
- 0 E. Periodic Review
- 0 F. Research/At Risk Procedures
- 0 G. Knowledge of
- 0 H. Name of Treatment Staff
- 1 I. Alternate Treatment Services
- 0 J. Clinical Review Panel
- 0 K. Minor Placed with Adults
- 0 L. Aftercare Plan
- 0 M. Advance Medical Directive
- 0 N. Pain Management

## 13. OTHER 0

- 0 A. Forensic Issues
- 0 B. Guardianship
- 0 C. Rights Outside Jurisdiction

## 14. NO RIGHT INVOLVED 6

## 15. RESIDENT/RESIDENT ASSAULT 14

## 16. DEATH 6

TOTAL INFORMATION CASES 333

FISCAL YEAR 2008

ROSEWOOD CENTER

# DEMOGRAPHIC INFORMATION (INFORMATION CASES)-FY2008

## Rosewood Center

INFORMATION/ASSISTANCE REQUESTS 333

SEX	#	%	AGE	#	%	RACE	#	%
Female	104	31.2	<18	0	0.0	African American	110	33.0
Male	229	68.8	18-44	89	26.7	Asian	1	0.3
Class	0	0.0	45-64	210	63.1	Caucasian	222	66.7
Total	333		65+	34	10.2	Hispanic	0	0.0
			Class	0	0.0	Other	0	0.0
			Total	333		Class	0	0.0
						Total	333	

# **RESIDENT GRIEVANCE SYSTEM**

## **LEGAL ASSISTANCE PROVIDER SERVICES**

**FISCAL YEAR 2008**



## **LEGAL ASSISTANCE PROVIDERS STATE RESIDENTIAL CENTERS**

The Legal Assistance Providers are obtained through State procurement to provide the following legal services.

1. Representation of individuals proposed for admission to a State Residential Center in accordance with Annotated Code of Maryland, Health General §7-503, which requires that it, must be affirmatively shown by clear and convincing evidence that the conclusions leading to the decision to admit the individual are supported by the following findings:
  - a. The individual has mental retardation;
  - b. The individual needs residential services for the individual's adequate habilitation; and
  - c. There is no less restrictive setting in which the needed services can be provided that is available to the individual or will be available to the individual within a reasonable time after the hearing.

**In fiscal year 2008, the Legal Assistance Providers spent 115.2 hours representing 19 individuals at admission hearings.**

2. Review of the current status of residents on an annual basis to determine whether the individual continues to meet retention criteria in accordance with Annotated Code of Maryland, Health General §7-505, which requires determination of the following:
  - a. Whether this individual continues to meet the requirements of this subtitle for admission to a State Residential Center;
  - b. Whether the services which the individual requires can be provided in a less restrictive setting;
  - c. Whether the individual's plan of habilitation as required by §7-1006 of this title is adequate and suitable; and
  - d. Whether the State residential center has complied with and executed the individual's plan of habilitation in accordance with the rules, regulations, and standards that the Secretary adopts.

**In fiscal year 2008, the Legal Assistance Providers spent 1,216.72 hours conducting annual reviews for 264 residents.**

3. Representation of individuals who elect to petition for release pursuant to the Annotated Code of Maryland, Health General:

§7-506 Habeas Corpus

Any individual who has been admitted to a State residential center or any person on behalf of the individual may apply at any time to a court of competent jurisdiction for a writ of habeas corpus to determine the cause and the legality of the detention.

§7-507 Petition for Release

Subject to the limitations in this section, a petition for the release of an individual who is held under this subtitle from a State residential center may be filed, at any time, by the individual or any person who has a legitimate interest in the welfare of the individual.

**In fiscal year 2008, the Legal Assistance Providers spent 72.1 hours representing 12 individuals in habeas corpus/petition for release.**

4. Representation of residents at transfer hearings pursuant to Annotated Code of Maryland, Health General:

§7-801 Authority of Director

The Director may transfer an individual with developmental disability from a public residential program or a public day program to another public residential program or public day program or, if a private provider of services agrees, to that private program, if the Director finds that the individual with developmental disabilities either can receive better treatment in, or would be more likely to benefit from treatment at the other program; or the safety or welfare of other individuals with developmental disability would be furthered.

§7-802 Transfer to a Mental Health Program

The Developmental Disabilities Administration may ask the Mental Hygiene Administration to accept primary responsibility for an individual in or eligible for admission to a State residential center, if the Developmental Disabilities Administration finds that the individual would be provided for more appropriately in a program for individuals with mental disorders. The Mental Hygiene Administration shall determine whether transfer to a mental health program is appropriate.

A dispute over a transfer of an individual from the Developmental Disabilities Administration to the Mental Hygiene Administration shall be resolved in accordance with procedures that the Secretary sets on request of the Developmental Disabilities Administration or the Mental Hygiene

Administration. The Director shall give the individual with developmental disability the opportunity for a hearing on the proposed transfer.

**In fiscal year 2008, the Legal Assistance Providers spent 26.04 hours representing 5 individuals at transfer hearings.**

The services provided by the Legal Assistance Providers for each facility is detailed on the following pages.

**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT  
FISCAL YEAR 2008**

**BRANDENBURG CENTER**

**LINDA GOLDEN, Attorney at Law  
Legal Assistance Provider**

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	0	0
Annual Reviews	16	28.2
Petition for Release	0	0
Transfer Hearings	0	0
<b>Total</b>	<b>16</b>	<b>28.2</b>



**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT  
FISCAL YEAR 2008**

**HOLLY CENTER**

**JOHN P. HOULIHAN, P.A.**  
Legal Assistance Provider

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	17	48.09
Annual Reviews	113	577.02
Petition for Release	0	0
Transfer Hearings	4	18.54
<b>Total</b>	<b>134</b>	<b>644.05</b>

**LEGAL ASSISTANCE PROVIDER  
ANNUAL REPORT  
FISCAL YEAR 2008**

**POTOMAC CENTER**

**LINDA GOLDEN, ATTORNEY-AT-LAW**  
Legal Assistance Provider

**Summary of Services Provided**

	<b><u>Number of Clients Served</u></b>	<b><u>Total Hours</u></b>
Admission Hearings	0	0
Annual Reviews	29	30.3
Petition for Release	0	0
Transfer Hearings	0	0
<b>Total</b>	<b>29</b>	<b>30.3</b>